

**CERTIFICATE OF SERVICE**

I, the undersigned, declare that I am over the age of 18 years, and not a party to the action. I am employed in the County of San Diego, California. My business address is 110 Laurel Street, San Diego, CA 92101. On March 11, 2016, I directed the **Plaintiff's Brief re: Whether the Appeal by the State of California is Frivolous** to be electronically filed with the Clerk of Court using the CM/ECF system, which will electronically serve all parties in this action, and I placed a copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, addressed to the non-CM/ECF participant, Douglas E. Baxter, for collection and mailing at Casey Gerry Schenk Francavilla Blatt & Penfield, LLP, 110 Laurel Street, San Diego, CA 92101, in accordance with the firm's ordinary business practices.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on March 11, 2016, at San Diego, California.

s/Thomas D. Luneau  
THOMAS D. LUNEAU  
Attorneys for Plaintiff  
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